

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JUN 21 2001

Robert M. Baldock
CLERK

JENNIFER SMITH, individually and for
and on behalf of BOBBY EARL SMITH,
deceased,

Plaintiff,

vs.

No. CIV-00-1251 BRB/KBM

EL PASO ENERGY CORPORATION,
a Delaware corporation, and EL PASO
NATURAL GAS COMPANY, a wholly-
owned subsidiary of El Paso Energy
Corporation, a Delaware corporation,

Defendants.

ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Plaintiff's Motion to Dismiss With Prejudice, the Court having been fully advised in the premises, finds that (1) the Plaintiff, Jennifer Smith, is the duly appointed personal representative of the estate of Bobby Earl Smith, deceased, (2) the parties have reached a settlement of all claims presented and which could have been presented in this action, (3) New Mexico substantive law applies to the action, and (4) the only statutory beneficiaries of the wrongful death estate of Bobby Earl Smith are Jennifer Smith, surviving wife, and Russell Smith, who is the son and only surviving descendant of Bobby Earl Smith.

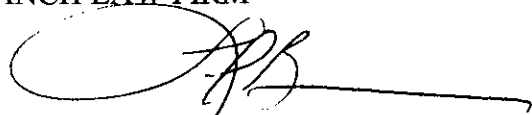
IT IS HEREBY ORDERED that the above-entitled matter is dismissed with prejudice, with each party to be responsible for their own costs and attorneys' fees.

Bobby R. Baldock
HONORABLE BOBBY R. BALDOCK
UNITED STATES DISTRICT JUDGE
Circuit

APPROVED:

BRANCH LAW FIRM

By



Turner W. Branch
Attorney for Plaintiff

MODRALL, SPERLING, ROEHL,
HARRIS & SISK, P.A.

By



R. E. Thompson
Lynn H. Slade
Attorneys for Defendants

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